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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/575,172

05/23/2000

Paul Lapstun

NPX008US

9245

24011

7590

03/31/2003

SILVERBROOK RESEARCH PTY LTD  
393 DARLING STREET  
BALMAIN, 2041  
AUSTRALIA

EXAMINER

ABDULSELAM, ABBAS I

ART UNIT

PAPER NUMBER

2674

DATE MAILED: 03/31/2003

11

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/575,172

Applicant(s)

LAPSTUN ET AL.

Examiner

Abbas I Abdulsalam

Art Unit

2674

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 February 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-126 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-126 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All   b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-126 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ward et al. (USPN 5491495) in view of Hagihara (USPN 5999275).

Regarding claims 1, 29, 37, 57 and 90, Ward teaches a computer system with which a user interacts by use of a writing stylus or other pointing device. Ward teaches a notebook computer (10) including digitizing tablet and display (12), stylus (14), and part of tablet area (16a, 16b, 16c, 16d) which is responsive to stylus touch. See col. 4, lines 16-29 and Fig 1. In addition, Ward teaches an interface (36), ink plane buffer (42), mask plane buffer (44), and interface processor (32) with its associated software. Ward also teaches program code initialization diagnostics and data transfer in connection with a software downloaded into interface memory. See col. 5, lines 49-56, col. 4, lines 47-56 and Fig. 2. Furthermore, Ward teaches a multi-code sequence and its corresponding software in connection with a movement of data. See col. 19, lines 33-37. Ward teaches a recognition algorithm which recognizes data including description of strokes, their position within the character box, and identification of the character set. See col. 19, lines 55-62. Moreover, Ward teaches a software running as a simulated device program (220) which processes

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data from the tablet (12b) and generates data in the form of keystrokes. See Fig 11 and col. 30, lines 26-44. However, Ward does not teach the interface surface which includes coded data indicative of a drawing field or indicative of an identity of an interface surface. Hagihara on the other hand teaches a scanner (1) reading a shading line on the surface of the white plate and the binary coder (6) outputting the binary coded data (26) representing the shading line. See col. 5, lines 25-35 and Fig 1.

Therefore, it would have been obvious to one skilled in the art at the time the invention was made to modify Ward's user-pointing device system to adapt Hagihara's use of binary coded data. One would have been motivated in view of the suggestion Hagihara that the use of binary coded data on the white plate is functionally equivalent to the desired coded data indicative of a drawing field. The use of binary coded data helps function an image reader as taught by Hagihara.

Regarding claims 2, 30, 66-69 and 100-102, Ward teaches a movement of the stylus while touching the tablet within the motion area and a result generating a movement of data.

Regarding claims 3, 31, 103, Ward teaches application programs suited for stylus base input.

Regarding claims 4 and 32, see Ward's Fig 2.

Regarding claims 5-6, 26-27, 33-34, 54-55, 86-89, 58-59, 91-93 and 118-126, Ward teaches multi code sequence as well as a low level software, a part of an interface processor. Ward teaches transporting of data as keystroke data, mouse data, or tablet data depending on the identification of the data.

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Regarding claims 7-8 28, 35-36, 56 ,70-71, 84-85 and 104-105, Ward teaches stylus position in terms of conversion from absolute motion to relative motion.

Regarding claims, 10, 22-23, 38, 60-65 and 94-99, Ward teaches the result recognition process which can be displayed in the area where the characters are.

Regarding claims 11, 39, 72-75 and 106, Ward teaches about a service in terms of various speeds of the interface processor, and also teaches "PROX" which is used to identify the stylus within the range of tablet.

Regarding claims 12-15, 40-43, 76 and 107-110, Ward teaches movement of the stylus with respect to tablet & motion areas. Ward also teaches digitizing tablet area with respect to (X, Y) locations and cumulative moving of data as a single one inch movement. In addition, Ward teaches the computation of distance with respect to timing.

Regarding claims 16, 44, 77-79 and 111, Ward teaches and writing recognition input device handling multiple lines.

Regarding claims 17, 45 and 112-113, Ward teaches the stylus which start on the object, may or may not be trackable in terms of its the position.

Regarding claims 18, 46, 80-83 and 114, Ward teaches tracking of the motion of the stylus.

Regarding claims 19-21, 47-49 and 115-117, Ward teaches the use of a variety of stylus.

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Regarding claims 24-25 and 52-53, Ward teaches the use of memory to be used by interface processor for programs and data storage. Ward also teaches the four memory maps showing how the ink and the mask data is stores.

### **Conclusion**

2. The prior art made of record and not relied upon is considered to applicant's disclosure.

The following arts are cited for further reference.

U.S. Pat. No. 6,331,901 to Fukuda

U.S. Pat. No. 6,084,593 to Gibson

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3. Any inquiry concerning this communication or earlier communication from the examiner should be directed to **Abbas Abdulsalam** whose telephone number is **(703) 305-8591**. The examiner can normally be reached on Monday through Friday (9:00-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Richard Hjerpe**, can be reached at **(703) 305-4709**.

**Any response to this action should be mailed to:**

Commissioner of patents and Trademarks

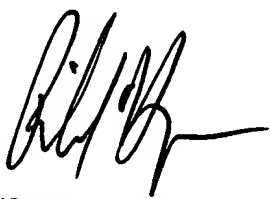
Washington, D.C. 20231

**or faxed to:**

**(703) 872-9314**

Hand delivered responses should be brought to crustal park II, Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology center 2600 customer Service office whose telephone number is (703) 306-0377.

  
RICHARD HJERPE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

Abbas Abdulsalam

Examiner

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